THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 24081 of 1999

Date 25.08.2005

Between:

Mothers Committee rep. by its Chairman Sri Thokala Nagamani.

..... PETITIONER

AND

The Projection Officer, Integrated Child Development Scheme Bhdrachalam, Khammam District & others.

.....RESPONDENTS

The Court made the following Order:

This writ petition is filed by Mothers Committee, represented by its chairman, questioning the impugned order dated 21.10.1999.

It is stated in the affidavit filed in support of the petition that in Gompally village, the Government sanctioned a separate building for Anganwadi Centres and as per the terms and conditions, 50% of the costs of the building are to be borne by the Government and the balance by the petitioner-Committee. It is further stated that to that effect an agreement dated 20.02.1999 was entered into between the Additional Project Co-ordinator, D.P.E.P., Khammam and Chairman of Mothers Committee to execute the work of construction of New Anganwadi Building. The grievance of the petitioner-Committee is that when the constructions are in progress, the Child Welfare Officer, Venkatapuram, passed the impugned order dated 21.10.1999.

While admitting the writ petition on 17.12.1999, this Court suspended the

impugned order.

There is no representation on behalf of the respondent-Government or no counter affidavit is filed to know the present situation.

Though it is ultimately for the respondents to decide the place for construction of Anganwadi Centres, having regard to the fact that the petitioner-Committee entered into agreement with the Government and the same is still in force , petitioner-Committee should have been put on notice before taking any decision to change the place of building. Having regard to the fact that the impugned order was suspended as early as on 17.12.1999, I dispose of the writ petition permitting the petitioner to make representation in this regard before the first respondent within a period of four weeks from today and the first respondent is directed to consider the said representation and pass appropriate orders either to continue the construction of the building at the place where the decision was taken earlier or at the new place as per the impugned order. Till such time, the impugned order remains suspended. However, it is made clear that if the petitioner-Committee fails to make any representation within the stipulated time as referred above, it is open for the respondents to take steps for construction of the building, at the place, as decided by them.

Subject to the above direction, the writ petition is disposed of. No order as to costs.

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25.08.2005

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